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FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

NOV 25 2003

at 11 o'clock and 30 min. AM
WALTER A.Y.H. CHINN, CLERK

Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. CR 03-00553 SOM
)	
Plaintiff,)	INDICTMENT
)	
vs.)	[18 U.S.C. § 1344]
)	
ANTONIO OSORIO-HAN,	(01))	
MARCO CARRILLO-ESQUIVEL,	(02))	
EULISES GALLARDO, and	(03))	
PABLO RUIZ,	(04))	
)	
Defendants.)	
)	

INDICTMENT

The Grand Jury charges that:

COUNTS 1 THROUGH 20

1. From a time unknown to the Grand Jury, but by on or about February 21, 2001, and continuing at least through on or about February 23, 2001, in the District of Hawaii, Defendants

ANTONIO OSORIO-HAN, MARCO CARRILLO-ESQUIVEL, EULISES GALLARDO, PABLO RUIZ, and others known and unknown to the Grand Jury, devised a scheme and artifice to defraud City Bank, a financial institution, and to obtain moneys, funds, and other property owned by, and under the care custody and control of, City Bank, by means of material false and fraudulent pretenses and representations.

2. As part of the scheme and artifice to defraud and to obtain moneys, funds, and other property of City Bank by means of material false and fraudulent pretenses and representations, Defendants ANTONIO OSORIO-HAN, MARCO CARRILLO-ESQUIVEL, EULISES GALLARDO, and PABLO RUIZ did a number of things in the District of Hawaii, including the following:

a. Defendants fraudulently cashed checks they knew were counterfeit and forged. The counterfeit checks were made to resemble payroll checks from a business that had an account with City Bank. The counterfeit checks were drawn on the business' City Bank account and included the correct City Bank account number.

b. Defendants and other participants in the scheme went to several different branches of City Bank to cash the counterfeit checks. Defendants cashed counterfeit checks that were made payable in the names of other people. For example, Defendant ANTONIO OSORIO-HAN cashed checks made payable

'to "Pedro Marquez;" Defendant MARCO CARRILLO-ESQUIVEL cashed checks made payable to "Francisco Munos Bentura;" Defendant EULISES GALLARDO cashed checks made payable to "Sebastian Mora;" and Defendant PABLO RUIZ cashed checks made payable to "Carlos Soliz." Defendants used fraudulent Alien Registration Cards for identification in cashing the counterfeit checks.

c. As a result of Defendants' fraudulent actions, City Bank suffered substantial losses.

3. On or about the dates set forth in tabular form below, in the District of Hawaii, Defendant ANTONIO OSORIO-HAN, MARCO CARRILLO-ESQUIVEL, EULISES GALLARDO, and PABLO RUIZ did knowingly execute a scheme and artifice to defraud City Bank, and to obtain the moneys, funds, and other property owned by, and under the custody and control of, City Bank, by means of material false and fraudulent pretenses and representations, which scheme and artifice is described in Paragraphs 1 through 2 above; in that Defendants ANTONIO OSORIO-HAN, MARCO CARRILLO-ESQUIVEL, EULISES GALLARDO, and PABLO RUIZ, acting with the intent to defraud, cashed counterfeit checks at various branches of City Bank, with each transaction involving the cashing of checks identified in tabular form below representing a separate count of this Indictment:

CHECKS CASHED BY DEFENDANT ANTONIO OSORIO-HAN

COUNT	DATE CHECK CASHED	CHECK NUMBER	PAYEE ON CHECK	CHECK AMOUNT	BANK BRANCH
1	02/22/01	502054	Pedro Marquez	\$697.76	McCully
2	02/22/01	502046	Pedro Marquez	\$697.76	University
3	02/22/01	502177	Pedro Marquez	\$697.76	Kapalama
4	02/22/01	502048	Pedro Marquez	\$697.76	Waikiki
5	02/22/01	502179	Pedro Marquez	\$697.76	Waikiki

CHECKS CASHED BY DEFENDANT MARCO CARRILLO-ESQUIVEL

COUNT	DATE CHECK CASHED	CHECK NUMBER	PAYEE ON CHECK	CHECK AMOUNT	BANK BRANCH
6	02/22/01	501990	Francisco Munos Bentura	\$681.61	University
7	02/22/01	502137	Francisco Munos Bentura	\$681.61	University
8	02/22/01	501993	Francisco Munos Bentura	\$681.61	Kapalama
9	02/22/01	502129	Francisco Munos Bentura	\$689.61	Kapalama
10	02/22/01	501992	Francisco Munos Bentura	\$681.61	McCully

CHECKS CASHED BY DEFENDANT EULISES GALLARDO

COUNT	DATE CHECK CASHED	CHECK NUMBER	PAYEE ON CHECK	CHECK AMOUNT	BANK BRANCH
11	02/22/01	502024	Sebastian Mora	\$694.75	Kapalama
12	02/22/01	502026	Sebastian Mora	\$694.75	Waikiki
13	02/22/01	502168	Sebastian Mora	\$694.75	Waikiki

COUNT	DATE CHECK CASHED	CHECK NUMBER	PAYEE ON CHECK	CHECK AMOUNT	BANK BRANCH
14	02/23/01	502027	Sebastian Mora	\$694.75	University
15	02/23/01	502167	Sebastian Mora	\$694.75	University

CHECKS CASHED BY DEFENDANT PABLO RUIZ

COUNT	DATE CHECK CASHED	CHECK NUMBER	PAYEE ON CHECK	CHECK AMOUNT	BANK BRANCH
16	02/22/01	502019	Carlos Soliz	\$680.50	Kahala
17	02/22/01	502139	Carlos Soliz	\$680.50	Kahala
18	02/22/01	502018	Carlos Soliz	\$680.50	Kapalama
19	02/22/01	502140	Carlos Soliz	\$680.50	Kapalama
20	02/23/01	502145	Carlos Soliz	\$680.50	Kapahulu

All in violation of Title 18, United States Code,
Section 1344.

COUNTS 21 THROUGH 28

4. From a time unknown to the Grand Jury, but by on or about April 4, 2001, and continuing at least through on or about April 5, 2002, in the District of Hawaii, Defendants ANTONIO OSORIO-HAN, MARCO CARRILLO-ESQUIVEL, EULISES GALLARDO, PABLO RUIZ, and others known and unknown to the Grand Jury, devised a scheme and artifice to defraud First Hawaiian Bank, a financial institution, and to obtain moneys, funds, and other property owned by, and under the care custody and control of,

First Hawaiian Bank, by means of material false and fraudulent pretenses and representations.

5. As part of the scheme and artifice to defraud and to obtain moneys, funds, and other property of First Hawaiian Bank by means of material false and fraudulent pretenses and representations, Defendants ANTONIO OSORIO-HAN, MARCO CARRILLO-ESQUIVEL, EULISES GALLARDO, and PABLO RUIZ did a number of things in the District of Hawaii, including the following:

a. Defendants fraudulently cashed checks they knew were counterfeit and forged. The counterfeit checks were made to resemble payroll checks from a business that had an account with First Hawaiian Bank. The counterfeit checks were drawn on the business' First Hawaiian Bank account and included the correct First Hawaiian Bank account number.

b. Defendants and other participants in the scheme went to different branches of First Hawaiian Bank to cash the counterfeit checks. Defendants cashed counterfeit checks that were made payable in the names of other people. For example, Defendant ANTONIO OSORIO-HAN cashed checks made payable to "Noe Diaz;" Defendant MARCO CARRILLO-ESQUIVEL cashed checks made payable to "Marcos Perez;" Defendant EULISES GALLARDO cashed checks made payable to "Sebastian Mora;" and Defendant PABLO RUIZ cashed checks made payable to "Jose Rios." Defendants used

'fraudulent Alien Registration Cards for identification in cashing the counterfeit checks.

c. As a result of Defendants' fraudulent actions, First Hawaiian Bank suffered substantial losses.

6. On or about the dates set forth in tabular form below, in the District of Hawaii, Defendants ANTONIO OSORIO-HAN, MARCO CARRILLO-ESQUIVEL, EULISES GALLARDO, and PABLO RUIZ did knowingly execute a scheme and artifice to defraud First Hawaiian Bank, and to obtain the moneys, funds, and other property owned by, and under the custody and control of, First Hawaiian Bank, by means of material false and fraudulent pretenses and representations, which scheme and artifice is described in Paragraphs 4 through 5 above; in that Defendants ANTONIO OSORIO-HAN, MARCO CARRILLO-ESQUIVEL, EULISES GALLARDO, and PABLO RUIZ, acting with the intent to defraud, cashed counterfeit checks, at various branches of First Hawaiian Bank, with each transaction involving the cashing of checks identified in tabular form below representing a separate count of this Indictment:

CHECKS CASHED BY DEFENDANT ANTONIO OSORIO-HAN

COUNT	DATE CHECK CASHED	CHECK NUMBER	PAYEE ON CHECK	CHECK AMOUNT	BANK BRANCH
21	04/05/01	55048537	Noe Diaz	\$695.69	Makiki
22	04/05/01	55048678	Noe Diaz	\$695.17	Makiki

CHECKS CASHED BY DEFENDANT MARCO CARRILLO-ESQUIVEL

COUNT	DATE CHECK CASHED	CHECK NUMBER	PAYEE ON CHECK	CHECK AMOUNT	BANK BRANCH
23	04/05/01	55048485	Marcos Perez	\$695.16	University
24	04/05/01	55048598	Marcos Perez	\$690.50	University

CHECKS CASHED BY DEFENDANT EULISES GALLARDO

COUNT	DATE CHECK CASHED	CHECK NUMBER	PAYEE ON CHECK	CHECK AMOUNT	BANK BRANCH
25	04/05/01	55048561	Sebastian Mora	\$695.75	Aina Haina
26	04/05/01	55048679	Sebastian Mora	\$695.16	Aina Haina

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CHECKS BY DEFENDANT PABLO RUIZ

COUNT	DATE CHECK CASHED	CHECK NUMBER	PAYEE ON CHECK	CHECK AMOUNT	BANK BRANCH
27	04/05/01	55048695	Jose Rios	\$687.25	Makiki
28	04/05/01	55048565	Jose Rios	\$685.20	Makiki

All in violation of Title 18, United States Code,
Section 1344.

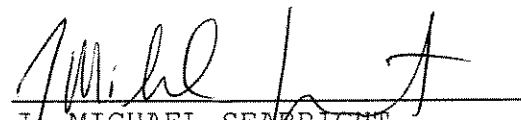
DATED: 11/25, 2003, at Honolulu, Hawaii.

A TRUE BILL

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FOREPERSON, Grand Jury

EDWARD H. KUBO, JR.
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District of Hawaii


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CRAIG H. NAKAMURA
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